

Declaratory
Improvement Res. No. 658-1932.

For the condemnation of a right of way
for Water Works purposes along the
west bank of St. Joseph River in sections
4 & 25, Township 31 North, Range 12 East
and in sections 19 & 30, Township 31 North,
Range 13 East.

Resolution Adopted:

Nov. 22, 1932.

Confirmed:

Dec. 15, 1932

Bids Received:

Assessment Roll Ordered - Dec. 15, 1932.

Contract Awarded:

Primary
Assessment Roll App'd - Dec. 22, 1932

Contract and Bond:

Notice to Non-Residents - Dec. 24 & 31, 1932
Jan. 7, 1933.

Contractor:

Hearing on Conf. Ass. Roll - Jan. 19, 1933

Reported Completed:

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Assessment Roll Confirmed:

February 24, 1933.

DECLARATORY RESOLUTION NO. 658 -1932.

For the condemnation of right of way for Water Works purposes along the west bank of the St. Joseph River in Sections 24 and 25, Township 31 North, Range 12 East, and in Sections 19 and 30, Township 31 North, Range 13 East.

Resolved by the Board of Public Works of the City of Fort Wayne, Indiana, that it is desired and deemed necessary to condemn a right of way for Water Works purposes along the west bank of the St. Joseph River in Sections 24 and 25, Township 31 North, Range 12 East, and in Sections 19 and 30, Township 31 North, Range 13 East.

All as shown by a plan of such proposed condemnation of a right of way for Water Works purposes as above described now on file in the office of the Department of Public Works of said City.

The condemnation of the right of way to be made by condemning and appropriating for Water Works purposes the following described property:

Commencing at the point where the west line of the East Half of the Southeast Quarter of Section 25, Township 31 North, Range 12 East, intersects the thread of the St. Joseph River; thence north along said west line of the East Half of the Southeast Quarter of said section 25 to its intersection with the east and west center line of said Section 25, Township 31 North, Range 12 East; thence east along said east and west center line of said Section 25, one hundred seventy-five (175) feet; thence on an angle to the left of forty (40) degrees a distance of five hundred eighty (580) feet, said point being six hundred fifty (650) feet from and at right angles to the east line of the Feeder Canal property; thence northeast parallel to and at right angles to the east line of the Feeder Canal property a distance of two thousand sixty-five (2065) feet; thence on an angle to the left of ninety (90) degrees a distance of six hundred (600) feet to a point fifty (50) feet from the east line of the Feeder Canal property; thence northeast parallel to and at right angles to the east line of the Feeder Canal property a distance of two hundred seventy (270) feet to a point fifty (50) feet north of the north line of Section 25, Township 31 North, Range 12 East; thence east on a line fifty (50) feet north of and parallel to the north line of Section 25, Township 31 North, Range 12 East and the north line of Section 30, Township 31 North, Range 13 East, a distance of nine hundred thirty (930) feet; thence on an angle to the left of seventy-five (75) degrees a distance of four hundred thirty (430) feet to a point in the north line of the John Bleke property eight hundred fifty-two (852) feet east of the east line of the Feeder Canal property, measured along said north line; thence easterly along said north line to the thread of the St. Joseph River; thence in a southwesterly direction following the thread of the St. Joseph River to the place of beginning, containing 33.23 acres more or less.

The property which may be injuriously or beneficially affected by the proposed right of way for Water Works purposes as above described is described as all of the land lying between the St. Joe Gravel Road and the Leo Road from the north and south center line of Section 25, Township 31 North, Range 12 East, to the east line of Section 28, Township 32 North, Range 13 East.

All according to the method and manner provided for in an act of the General Assembly of the State of Indiana, entitled "An Act to Amend Sections 139 and 250 of an act entitled, "An Act Concerning Municipal Corporations" approved March 6, 1905," approved March 7, 1931, and the provisions of all acts amendatory thereto and supplemental thereof, including the right to bond assessments as in said law ordered.

The total cost of said condemnation of right of way for Water Works purposes as above described shall be paid for by the Fort Wayne Water Works Department of the City of Fort Wayne, Indiana.

Adopted this 22nd day of November 1932.

Attest:

Leith L. Snyder
Secretary

Robert C. Brown
David E. Brown
W. H. Ramsey
Board of Public Works

STATE OF INDIANA,
ALLEN COUNTY, SS:

TO THE HONORABLE BOARD OF PUBLIC WORKS
OF THE CITY OF FORT WAYNE, INDIANA

IN RE: CONDEMNATION OF RIGHT OF)
WAY FOR WATER WORKS PURPOSES IN)
ST. JOSEPH RIVER -)
DECLARATORY RESOLUTION #658 - 1932)
OF THE BOARD OF PUBLIC WORKS OF)
THE CITY OF FORT WAYNE, INDIANA)

The undersigned, being duly sworn upon his oath,
says that he is the owner of the following described real estate,
situated in Allen County, Indiana, to-wit:-

A part of Sections Twenty-four (24) and Twenty-five (25) Township Thirty-one (31) North, Range Twelve (12) East in Allen County, Indiana, and a part of Sections Nineteen (19) and Thirty (30) in Township Thirty-one (31) North, Range Thirteen (13) East, in Allen County, Indiana, more particularly described as follows, to-wit:-

Beginning at a stone in the Northwest corner of the East one-half (1/2) of the Northeast quarter (1/4) of Section Twenty-five (25) Township Thirty-one (31) North of Range Twelve (12) East; thence East along the North line of Section Twenty-five (25) Township and Range aforesaid, one thousand and seventy and six-tenths (1070.6) feet to the East line of the property now owned by the Indiana Service Corporation; thence in a Northeasterly direction, along the East line of the property now owned by the Indiana Service Corporation, six hundred and twenty-four and one-tenth (624.1) feet to a stone corner; thence along a line running South, eighty-two degrees and 48 minutes East to the St. Joseph River; thence in a South and Easterly direction following the meanderings of the St. Joseph River to its intersection with the West line of the East one-half (1/2) of the Northeast quarter (1/4) of Section Twenty-five (25) Township Thirty-one (31) North of Range Twelve (12) East; thence North along said last described line to its intersection with the West line of the property now owned by the Indiana Service Corporation; thence in a Northeasterly direction along the West line of the property now owned by the Indiana Service Corporation, a distance of six hundred and forty-one and four-tenths (641.4) feet to an iron pin; thence in a Northwesterly direction, making a deflection angle of one hundred and two degrees (102) and twelve

(12) minutes with the last described line, three hundred and nine and seven-tenths (309.7) feet to an iron pin on the West line of the East one-half (1/2) of the Northeast quarter (1/4) of Section Twenty-five (25), Township and Range aforesaid; thence North along said last described line, one thousand two hundred and sixty-four and seven-tenths (1264.7) feet to the point of beginning, except so much thereof as is now owned by the Indiana Service Corporation.

That all of the above described real estate will be damaged by reason of the construction and operation of a dam in the St. Joseph River, which the said City of Fort Wayne ^{proposing to} is constructing:

That under and pursuant to Declaratory Resolution #658 - 1932 of the Board of Public Works of the City of Fort Wayne, the City of Fort Wayne is attempting to condemn a part of the above described real estate, as described in said Resolution, for water works purposes:

This affiant further says that the said City of Fort Wayne, upon a part of said real estate so above described, will erect a dam across the St. Joseph River, which will very materially raise the level of the water in said River:

That the Board of Public Works of the City of Fort Wayne has awarded damages to the undersigned for the taking of certain lands fixed in their said Resolution, in the sum of Two Thousand Nine Hundred and Ninety-two Dollars (\$2,992.00), but that the damages of this affiant are actually Thirteen Thousand Two Hundred Dollars (\$13,200.00):

That the said Board of Public Works did not award any damages to the balance of the land above described not so taken by the City of Fort Wayne, and that the damages to this affiant by reason thereof, is the sum of Five Thousand Dollars (\$5,000.00):

WHEREFORE, the undersigned claims as damages, the

sum of Eighteen Thousand Two Hundred Dollars (\$18,200.00),
and all other and further relief.

Martin Luecke

John C Blake

REMONSTRATOR

Eggeman Reed & Cleland

ATTORNEYS FOR REMONSTRATOR.

Subscribed and sworn to before me this 19th day of
January, 1933.

Marguerite Gladden

NOTARY PUBLIC.

My commission expires,

January 27-1937

R E S O L U T I O N

Resvoled by the Board of Public Works of the City of Fort Wayne, Indiana, that Declaratory Resolution No. 658 adopted on the 22nd day of November, 1932, and confirmed on the ____ day of _____, 1932, be and is hereby modified as follows:

amended

That the City of Fort Wayne appropriates, and acquires the fee simple title for water works purposes, subject to certain agreements and limitations contained in deeds executed on this day by John Bleke and Rosa A. Bleke, his wife, to the City of Fort Wayne, Indiana, for ~~the following described~~ real estate, to wit: ----- *described in deeds hereinafter set out*

And that said above described real estate is acquired by the City of Fort Wayne in fee simple and that the ~~appropriation~~ *amended during* made therefore is in full for fee simple title together with all privileges, immunities, water rights and all other rights appurtenant to said real estate.

That said John Bleke and Rosa A. Bleke, his wife, have executed this day their warranty deeds for said above described real estate, which deeds are filed with the Board of Public Works of the City of Fort Wayne, and which deeds are in the following words and figures, to wit: ----

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The Board of Public Works has found that it is necessary and desirable to acquire the said above described real estate and the fee simple title thereto.

Now the Board of Public Works under and by virtue of the powers conveyed upon it by the statutes of the State of Indiana, for and on behalf of the said City of Fort Wayne, accepts said deeds herein described and order that the same be recorded in the Recorder's Office of Allen County, Indiana, and said real

estate is hereby declared to be the property of and the title is held in fee simple by the City of Fort Wayne, Indiana.

That said John Bleke and Rosa A. Bleke, his wife, are hereby awarded for said real estate, easements, rights and privileges acquired by the City of Fort Wayne and for any and all damages sustained by said John Bleke and Rosa A. Bleke, his wife, because of the appropriation of the City of Fort Wayne of their said land and the rights and title to the lands so granted, the sum of Forty Five Hundred (\$4500.00) Dollars, which amount shall be in full for fee simple title, rights, easements, including any and all water rights in the St. Joseph River, but subject however, to the conditions and limitations contained in said deeds of conveyance and that all of the Resolutions or any confirmations thereof herein adopted are modified accordingly and confirmed as modified, and said sum of money is ordered paid to John Bleke and Rosa A. Bleke, his wife.

*The assessment roll awarded
John Bleke and Rosa A. Bleke the
sum of \$4,500.00 is hereby confirmed
as modified*

Feb. 27, 1833
Resolution

Resolution adopted
in the morning

Resolution
of the 20th - 1832.

Le: Books sent
to J. C. (Duke and
John L. Smith.

